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Eric H. Weimers

Name of Applicant, Assignee, or Registered Rep.

EHW 11/16/2009  
Signature Date

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jeffrey L. Sands et al. Confirmation No. 2882  
Appl. No. : 10/725,954  
Filed : 12/02/2003  
Title : Automated freezer component  
Grp./A.U. : 3651  
Examiner : Rakesh Kumar

Docket No. : 25570-48831  
Customer No.:021788

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### DECLARATION UNDER 37 C.F.R. §1.131

Sir:

I, Jeffrey L. Sands, declare and state:

1. I am a co-inventor of the invention claimed in the above-identified patent application.
2. I am currently, and at the time the present invention was made was, an employee of Carrier Commercial Refrigeration, Inc. ("Carrier") and was under an obligation to assign the present invention to Carrier. The above-identified application was assigned to Carrier by myself and my co-inventors by an assignment recorded on May 7, 2004 at Reel 015306, Frame 0723.
3. I am also a co-inventor of United States Patent No. 6,751,977 which was published on October 23, 2003 (the '977 Patent). The '977 was assigned to Carrier by an assignment recorded on July 22, 2002 at Reel 013133, Frame 0151.

4. Prior to October 23, 2003, the invention disclosed and claimed in the above-identified application was completed, as evidenced by the attached letter and facsimile confirmation page which confirm that a draft patent application for the present invention was sent on October 20, 2003 by patent counsel to me at Taylor Company, a division of Carrier, for review. That draft application fully disclosed the invention claimed in the pending claims of the above-captioned application.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: 11/16/2009

  
Jeffrey L. Sands